

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MICHA EATMAN

No. 23 CR 518

Hon. Jeffrey Cole

**GOVERNMENT'S UNOPPOSED MOTION
TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The United States of America, by MORRIS PASQUAL, Acting United States Attorney for the Northern District of Illinois, moves the Court to enter an Order to exclude time under the Speedy Trial Act. In support thereof, the government states as follows:

1. On October 2, 2023, defendant was charged by indictment with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).
2. On October 18, 2023, defendant appeared before this Court for an initial appearance and arraignment. At that hearing, the government moved for a detention hearing under 18 U.S.C. § 3142(f)(1)(E) because defendant's case involves "any felony that is not otherwise a crime of violence . . . that involves the possession or use of a firearm." After defendant opposed the government's motion, the Court scheduled a detention hearing for October 19, 2023. The Court also scheduled a telephonic status hearing for November 1, 2023.
3. After defendant's October 18, 2023, initial appearance and arraignment, the Court notified the government via email that defendant had waived a detention hearing without prejudice.

4. The government did not move to exclude time at defendant's initial appearance and arraignment because the government moved for detention, and the Court set defendant's detention hearing for October 19, 2023. *See* 18 U.S.C. § 3161(h)(1)(D) (excluding under Speedy Trial Act "delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion").

5. Now that defendant has waived the previously scheduled detention hearing, the government respectfully requests the Court enter an order excluding time from today until the date of the next status hearing, November 1, 2023, as "the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." *See* 18 U.S.C. § 3161(h)(7)(A). Excluding this time will serve the ends of justice because it will provide time for counsel for the government to: (1) "confer and try to agree on a timetable and procedures for pretrial disclosure under Rule 16" under Fed. R. Crim. P. 16.1; (2) send, receive, and review discovery in this matter; and (3) effectively prepare this case.

6. Defendant does not object to this motion.

WHEREFORE, the government respectfully requests the Court enter an Order excluding time through November 1, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A).

Respectfully submitted,

MORRIS PASQUAL
Acting United States Attorney

By: /s/ Kurt Siegal
Kurt Siegal
Assistant United States Attorney
219 South Dearborn Street, Rm. 500
Chicago, Illinois 60604
(312) 886-1265

Date: October 18, 2023